Exhibit B

Google's Claim Constructions and Evidence for Disputed Terms[1]

A.   **Substantive Claim Construction Disputes**

Term	Proposed Construction(s)	Evidence
1. by a system including at least one web page on a server side computing device, the at least web page providing a plurality of links associated with a plurality of other web pages associated with a plurality of merchants '057: 1	[Preamble is limiting]	
2. clicks on one of the merchant websites '104: 1, 9	Plain and ordinary meaning.	2:38-43
3. client '667: all '763: all	a computer that requests information or services from a server	*client*: "1. In an Internet service, a program that can communicate with a server located on the Internet to exchange data of a certain type, such as a Web document or an e-mail message. A web browser is a client for accessing information

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[1]   All citations are to the '104 Patent unless otherwise specified.

Term	Proposed Construction(s)	Evidence
'057: all		available on Web servers. 2. In a client/server network, a program that is designed to request information from a server."[2] _**client**_: "Clients are devices and software that request information. Clients are objects that use the resources of another object. A client is a fancy name for a PC on a local area network. It used to be called a workstation. Now it is the 'client' of the server."[3] _**client**_: "a workstation on a network that gains access to central data files, programs, and peripheral devices through a server"[4]
4. client side '667: 10, 14 '763: 10	No construction needed under Google's construction of "client". Indefinite under Brite Smart's construction of "client".	_**client**_: "1. In an Internet service, a program that can communicate with a server located on the Internet to exchange data of a certain type, such as a Web document or an e-mail message. A web browser is a client for accessing information available on Web servers. 2. In a client/server network, a program that is designed to request information from a server."[5] _**client**_: "Clients are devices and software that request information. Clients are objects that use the resources of another object. A client is a fancy name for a PC on a local area network. It used to be called a workstation. Now it is the 'client' of the server."[6] _**client**_: "a workstation on a network that gains access to central data files, programs, and peripheral devices through a server"[7]

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[2] _Webster's New World Dictionary of Computer Terms_ (2000)
[3] _Newton's Telecom Dictionary_, 16th Edition (2000)
[4] _Random House Webster's College Dictionary_ (1999)
[5] _Webster's New World Dictionary of Computer Terms_ (2000)
[6] _Newton's Telecom Dictionary_, 16th Edition (2000)
[7] _Random House Webster's College Dictionary_ (1999)

Term	Proposed Construction(s)	Evidence
5. code identifying [a/the/said/at least one] device/ end user's computer '667: 10, 14 '763: 10 '057: all	code establishing the identity of the device/ computer	1:52-59, 2:14-15, 2:19-24, 2:31-33. '057, 4:1-7. Fig. 1. *identify*: "to link in an inseparable fashion: make correlative with something; to establish the identity of : show or prove the sameness of"[8] *identify*: "to recognize or establish as being a particular person or thing; verify the identity of"[9]
6. code uniquely identifying a/the device / unique code [] for identifying said client / end user's computer '104: all '667: 1, 11, 18 '763: 1, 11, 14	sole code establishing the identity of the device/ computer	1:52-59, 2:14-15, 2:19-24, 2:31-33. '057, 4:1-7. Fig. 1. *identify*: "to link in an inseparable fashion: make correlative with something; to establish the identity of : show or prove the sameness of"[10] *identify*: "to recognize or establish as being a particular person or thing; verify the identity of"[11] *unique*: "being the only one: sole"[12]

[8]   *Webster's Third New Int'l Dictionary* (2002).
[9]   *Random House Webster's College Dictionary* (1999).
[10]   *Webster's Third New Int'l Dictionary* (2002).
[11]   *Random House Webster's College Dictionary* (1999).
[12]   *Webster's Third New Int'l Dictionary* (2002).

Term	Proposed Construction(s)	Evidence
		**unique**: "existing as the only one or as the sole example; single; solitary in type or characteristics."[13]
7. concatenating the another code to the code previously generated / the another code is concatenated to the code previously generated '104: all	joining the another code to the code previously generated, one right after the other	2:31-37. '104 File History, 12/13/06 Examiner Interview Summary at 3. _**concatenation**_: "the operation of joining two or more character strings together, end to end. For example, 'ABC' concatenated with 'DEF' equals 'ABCDEF'".[14] _**concatenation**_: "to link together two or more units of information, such as strings or files, so that they form one unit."[15] _**concatenate**_: "To join sequentially"[16]
8. concatenating said code with at least one of said links to said websites '763: 5	joining said code to a URL of a website, one right after the other	2:31-37. '104 File History, 12/13/06 Examiner Interview Summary at 3. _**concatenation**_: "the operation of joining two or more character strings together, end to end. For example, 'ABC' concatenated with 'DEF' equals 'ABCDEF'".[17] _**concatenation**_: "to link together two or more units of information, such as strings or files, so that they form one

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13 *Random House Webster's College Dictionary* (1999).
14 *Barron's Dictionary of Computer and Internet Terms* (1996).
15 *Webster's New World Dictionary of Computer Terms* (2000).
16 *Microsoft Press Computer Dictionary*, 3rd Ed. (1997).
17 *Barron's Dictionary of Computer and Internet Terms* (1996).

Term	Proposed Construction(s)	Evidence
		unit."[18] ***concatenate***: "To join sequentially"[19]
9. cookie '104: 5,13 '667: 3, 21 '763: 3, 17 '057: 9	a small file stored on a browser computer containing a code	2:19-24, 2:31-37. ***cookie***: "In the World Wide Web (WWW), a small text file that the server writes to the user's hard disk without the user's knowledge or permission. The data in the cookie file enables one Web page to pass information to other pages, thus directly addressing a major shortcoming of the underlying Web protocol, HTTP."[20] ***cookie***: "A cookie is an Internet mechanism that lets site developers place information on the client's (i.e., your) computer for later use…. a cookie allows the server side of the connection to both store and retrieve information on the client side."[21] RFC 2109, *available at* http://tools.ietf.org/html/rfc2109 U.S. Patent No. 5,774,670
10. determining from said data whether said at least one of said selections of said at least one web page is fraudulent '667: 10, 14	Indefinite	1:52-59, 2:43-49. '104 File History, 9/11/06 Amendment at 5. '104 File History, 12/13/06 Examiner Interview Summary at 3. '104 File History, 12/16/06 Response at 6, 8.

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[18]   *Webster's New World Dictionary of Computer Terms* (2000).

[19]   *Microsoft Press Computer Dictionary*, 3rd Ed. (1997).

[20]   *Webster's New World Dictionary of Computer Terms* (2000).

[21]   *Newton's Telecom Dictionary,* 16th ed. (2000).

Term	Proposed Construction(s)	Evidence
'763: 10		
11. determining whether the requested link to the merchant website is legitimate or fraudulent by examining a duration between two visits to the one of the merchant websites in the code '104: 1	Indefinite	1:52-59, 2:43-49. '104 File History, 9/11/06 Amendment at 5. '104 File History, 12/13/06 Examiner Interview Summary at 3. '104 File History, 12/16/06 Response at 6, 8.
12. examining a duration between/of two visits [] in the code ('104: all) measuring the duration between clicks [] by examining said code ('667: 1, 18; '763: 1, 14) examining a duration between a time of one of said selections/clicks [] and a time of another of said selections/clicks ('667: 10, 14; '763: 10)	examining the result of subtracting the time of the first click/visit from the time of the second click/visit	2:43-49. '104 File History, 9/11/06 Amendment at 5 '104 File History, 12/13/06 Examiner Interview Summary at 3. '104 File History, 12/16/06 Response at 6, 8. _duration_: "a portion of time which is measurable or during which something exists, lasts, or is in progress."[22] _duration_: "the length of time something continues or exists; continuance in time."[23]

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[22]   _Webster's Third New Int'l Dictionary_ (2002)
[23]   _Random House Webster's College Dictionary_ (1999).

Term	Proposed Construction(s)	Evidence
examining a difference between said first time and said second time ('057: all)		
13. fraud / fraudulent / fraudulent activity '104: all '667: all '763: all	Indefinite	1:39-48, 1:52-61, 2:43-49. '104 File History, 9/11/06 Amendment at 5. '057 File History, 9/27/13 Amendment at 9. *fraud*: "an instance or an act of trickery or deceit esp. when involving misrepresentation: an act of deluding; a means used in trickery: a dishonest stratagem or a spurious thing passed off as genuine"[24] *fraud*: "deceit or trickery perpetrated for profit or to gain some unfair or dishonest advantage"[25]
14. information about one or more selections/clicks by the [end] user '667: 10, 14 '763: 10	Indefinite.	

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[24]   *Webster's Third New Int'l Dictionary* (2002).

[25]   *Random House Webster's College Dictionary* (1999).

Term	Proposed Construction(s)	Evidence
15. invalid click(s) '057: all	erroneous click(s), independent of the clicker's mental state	1:39-48, 1:52-59. *invalid*: "being without foundation in fact or truth: indefensible, unjustified"[26] *invalid*: "not valid; without force or foundation; indefensible"[27]
16. links associated with [] web pages '667: 10, 14 '763: 10 '057: all	links to the web pages	1:33-38.
17. links associated with [] websites '667: 1, 18 '763: 1, 14	links to the web sites	1:33-38.
18. pay-per-click engine '763: all	engine that orders results by the amount the advertiser pays per click.	1:20-33, 1:39-41, 1:52-54, 2:24-28, 2:38-43.
19. pay-per-click system '104: all '667: 1, 18	system that orders results by the amount the advertiser pays per click.	1:20-33, 1:39-41, 1:52-54, 2:24-28, 2:38-43.

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[26] *Webster's Third New Int'l Dictionary* (2002).
[27] *Random House Webster's College Dictionary* (1999).

Term	Proposed Construction(s)	Evidence
'763: all		
20. predetermined number of requests '104: 7, 15	Indefinite	1:52-59
21. predetermined number of requests from the user during a given period of time '104: 7, 15	Indefinite Alt: To the extent "predetermined number" has a meaning, "predetermined number of clicks from the user over a fixed time period."	1:52-61, 2:38-49. '057, 4:41-50.
22. receiving [] a [search] request from a client / receiving a request from an end user's computer '667: 1, 18 '763: 1, 14	receiving the name of goods or services desired by the user	1:25-28
23. requested link '104: all	a clicked on item on a web page which transfers the user directly to some other web page	1:25-38. *link:* "an item on a web page which, when selected, transfers the user directly to some other web page, perhaps on a different machine."[28] *link:* "An element in an HTML document that points to a

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[28]   *Barron's Dictionary of Computer and Internet Terms* (1996).

Term	Proposed Construction(s)	Evidence
		document or to a specific location in a document, using a URL. When the document is displayed in a browser, clicking on a link causes the browser to display the document and/or location that it points to. Links usually appear on-screen as underlined text and are usually in blue, although Web page designers can change how they look.[29]
24. search engine '104: all '667: all	engine ordering advertisements by the amount the advertiser pays per click	1:20-33, 1:39-41, 1:52-54, 2:14-18, 2:24-28, 2:38-43.
25. search engine to list merchant websites in an order according to incremental compensation for click-through to the websites '104: all	search engine in which results are placed in the order of the amount the merchant will pay for a click	1:20-41, 1:52-54, 2:14-18, 2:24-28, 2:38-43.
26. search request '667: 1, 18	the name of goods or services desired by the user	1:25-28.
27. server side / server side computing device '667: all	No construction needed under Google's construction of "client". Indefinite under Brite Smart's	*server*: "a server is a shared computer on the local area network that can be as simple as a regular PC set aside to handle print requests to a single printer. Or, more usually, it is the fastest and brawniest PC around . . . used as a repository and distributor of

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[29] *Newton's Telecom Dictionary* (16th Edition 2000)

Term	Proposed Construction(s)	Evidence
'763: all '057: all	construction of "client".	oodles of data. IT may also be the gatekeeper controlling access to voice mail, electronic-mail, facsimile services"[30] _server_: "in a client/server network, a computer or program that is dedicated to providing information in response to external requests"[31] _server_: "a computer that makes services, as access to data files, programs, and peripheral devices, available to workstations on a network"[32]
28. user '104: all '667: 10, 14 '763: 10 '057: all	a person who uses a computer	_user_: "a person who uses a computer"[33] _user_: See _end user_. _end user_: "The person who uses a computer system and its application programs at home or at work to perform tasks and produce results"[34]
29. web pages '667: 10, 14 '763: 10 '057: all	hypertext documents on the World Wide Web	_Web Page_: "An HTML document on the Web, usually one of many that together make up a Website."[35]
30. websites	servers on the World Wide Web, each of which usually host a	1:39-43, 2:47-58.

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[30] _Newton's Telecom Dictionary_ (16th Edition 2000)
[31] _Webster's New World: Dictionary of Computer Terms_ (2000)
[32] _Random House Webster's College Dictionary_ (1999)
[33] _Random House Webster's College Dictionary_ (1999)
[34] _Webster's New World: Dictionary of Computer Terms_ (2000)
[35] _Newton's Telecom Dictionary_ (16th Edition 2000)

Term	Proposed Construction(s)	Evidence
'104: all '667: 1, 18 '763: 1, 14	collection of web pages.	*Web site*: "In the Web, a computer system that has a recognized domain name and that runs a Web server for publishing documents on the World Wide Web. A Web site generally makes many Web pages available."[36] *Web Site*: Any machine on the Internet that is running a Web Server to respond to requests from remote Web Browsers via a Web Site. In more common usage it refers to individual sets of Web Pages that can be visited with Web Browsers."[37] *Web Site*: "A group of related HTML documents and associated files, scripts, and databases that is served up by an HTTP server on the World Wide Web."[38]
31. website information regarding a website selected/clicked by the client '667: 1, 18 '763: 1, 14	Indefinite	

B.   **Indefiniteness Antecedent Basis Disputes**

Term	Proposed Construction(s)
"website information" as used in the last	Indefinite

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[36]   *Webster's New World: Dictionary of Computer Terms* (2000)
[37]   *Newton's Telecom Dictionary* (16th Edition 2000)
[38]   *Microsoft Press Computer Dictionary*, 3rd Ed. (1997).

Term	Proposed Construction(s)
limitation of '667: 1, 18; '763: 1, 14	
"the requested link" as recited in '104:1	Indefinite

C.   Antecedent Basis Disputes[39]

Term	Proposed Construction(s)
one of said clicks	refers to one of "one or more clicks"
one of said links	"one of said links" used in the '667 and '057 patents refers to one of "a plurality of links"; and "one of said links" used in the '763 and '486 patents refers to one of "one or more links"
said at least one device	refers to "at least one device on a client side"
said at least one of said selections of said at least one web page	refers to "one or more selections by the user of at least one of said plurality of web pages" except in claim 10 of the '763 patent where it refers to "one or more selections by the user of at least one of said one or more of web pages"
said at least one user	refers to "at least one user" in the corrected claim
said client	refers to "a client"
said client side	refers to "a client side"
said code	'667:1, 2, 3, 6, 18, 19, 21, 23 – refers to "a unique code" '667:10, 11, 14, 15 – refers to "a code" '763:1, 2, 3, 5, 6, 14, 15, 17, 19 – refers to "a unique code" '763:10, 11 – refers to "a code"

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[39]   Google's proposals as to these antecedent basis terms should mirror the alternative constructions proposed by Brite Smart.

Term	Proposed Construction(s)
said data	refers to "data"
said device	refers to "a device"
said first code	refers to "a first code"
said plurality of web pages	refers to "a plurality of web pages"
said request	refers to "a request"
said search request	refers to "a search request"
said second click	refers to "a second click"
said second code	refers to "a second code"
said selected website	refers to "a website selected by the client" except for the '486 patent where it refers to "a website selected by the end user"
said selections of said at least one web site	refers to "one or more selections by the user of at least one of said plurality of web pages" except for claim 10 of the '763 patent where it refers to "one or more selections by the user of at least one of said one or more of web pages"
said server side	refers to "a server side"
said third code	refers to "a third code"
said website information	refers to "website information regarding a website selected / clicked by the client" except for the for '486 patent where it refers to "a website selected by the end user"
the another code	refers to "another code"
the at least web page	refers to "at least one web page"
the client	refers to "a client"
the code	refers to "a code"

Term	Proposed Construction(s)
the device	refers to "a device"
the device on the client side	refers to "at least one device on a client side"
the merchant websites	refers to "merchant websites"
the one of the merchant websites	refers to "one of the merchant websites"
the plurality of web pages	refers to "a plurality of web pages"
the search engine	refers to "a search engine"
the server	refers to "a server"
the server side	refers to "a server side"
the server side computing device	refers to "a server side computing device"
the user	refers to "a user"
the websites	refers to "merchant websites"

D.   Substantive Disputes as to the Ordering of the Method Claims

Term	Proposed Construction(s)
Order of steps of claim 1 of the '667 patent	Element 1[c] must occur after elements 1[a] and 1[b].
Order of steps of claim 18 of the '667 patent	Element 18[c] must occur after elements 18[a] and 18[b].
Order of steps of claim 1 of the '763	Element 1[c] must occur after elements 1[a] and 1[b].

Term	Proposed Construction(s)
patent	
Order of steps of claim 14 of the '763 patent	Element 14[c] must occur after elements 14[a] and 14[b]

E.   Additional Disputes as to the Ordering of the Method Claims[40]

Term	Proposed Construction(s)
Order of steps of claim 1 of the '104 patent.	The steps must occur in order.
Order of steps of claim 1 of '667 patent	1[b] must occur after 1[a]. 1[d] must occur after 1[c]. 1[e] must occur after 1[b], but can occur before, during, or after 1[c] and 1[d]. 1[f] must occur after 1[e], but can occur before, during, or after 1[c] and 1[d]. 1[g] must occur after 1[d] and 1[f]. 1[h] must occur after 1[g].
Order of steps of claim 10 of '667 patent	The steps occur in the following order: 10[a], 10[b], 10[c], 10[e], 10[d].
Order of steps of claim 14 of '667 patent	The steps occur in the following order: 14[a], 14[b], 14[c], 14[d], 14[f], 14[e].
Order of steps of claim 18 of the '667	1[b] must occur after 1[a].

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[40]   With the exception of the four substantive disputes identified above, Google's proposals as to the order of the method steps should mirror the alternative constructions proposed by Brite Smart. Google contends Brite Smart's explanatory language as to the legal requirements of "comprising" claims is unnecessary and inappropriate for a claim construction order.

Term	Proposed Construction(s)
patent	1[d] must occur after 1[c].

1[e] must occur after 1[b], but can occur before, during, or after 1[c] and 1[d].

1[f] must occur after 1[d] and 1[e].

1[g] must occur after 1[f]. |
| Order of steps of claim 1 of the '763 patent | 1[b] must occur after 1[a].

1[d] must occur after 1[c].

1[e] must occur after 1[b], but can occur before, during, or after 1[c] and 1[d].

1[f] must occur after 1[e], but can occur before, during, or after 1[c] and 1[d].

1[g] must occur after 1[d] and 1[f].

1[h] must occur after 1[g]. |
| Order of steps of claim 10 of the '763 patent | The steps occur in the following order: 10[a], 10[b], 10[c], 10[e], 10[d]. |
| Order of steps of claim 14 of the '763 patent | 1[b] must occur after 1[a].

1[d] must occur after 1[c].

1[e] must occur after 1[b], but can occur before, during, or after 1[c] and 1[d].

1[f] must occur after 1[d] and 1[e].

1[g] must occur after 1[f]. |
| Order of steps of claim 1 of the '057 patent | The steps must occur in order. |